

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

Cheetah Omni LLC,

Plaintiff,

vs.

Alcatel-Lucent USA Inc.,
Alcatel-Lucent Holdings, Inc.,
Ciena Corporation,
Ciena Communications, Inc.,
Fujitsu Network Communications, Inc.,
Tellabs, Inc.,
Tellabs Operations, Inc.,
Nokia Siemens Networks US LLC,
Huawei Technologies USA, Inc.,

Defendants.

Case No. 6:11-CV-390-LED

JURY TRIAL DEMANDED

**JOINT MOTION TO STAY DEADLINES PERTAINING TO
HUAWEI TECHNOLOGIES USA PENDING THE OUTCOME OF
SETTLEMENT NEGOTIATIONS**

Plaintiff Cheetah Omni LLC (“Cheetah”) and Defendant Huawei Technologies USA (“Huawei”) have reached an agreement in principle to resolve the claims between them in this litigation. The parties are working to finalize a written agreement and have not reached an impasse in that process. Cheetah and Huawei therefore jointly request that the Court stay all deadlines in this action as they pertain to Huawei for 21 days from today to allow finalization of the parties’ settlement agreement. In particular, the parties wish to avoid the time and expense associated with the mediation scheduled for Thursday, November 29, 2012, which must be completed by December 1, 2012 under the Court’s Docket Control Order. (Dkt. No. 107 at 7.) The associated time and expense in this case is particularly burdensome, because the mediation will require Huawei representatives to travel to Texas from Shenzhen, China.

In the event that Cheetah and Huawei do not fully resolve this matter by December 22, 2012, on December 24, 2012 they will jointly submit to the Court a new proposed schedule addressing any affected deadlines. Other existing case deadlines affecting all parties, including tutorial and claim construction deadlines pursuant to the Court's existing Docket Control Order, should not be impacted by this proposal.

Accordingly, Cheetah and Huawei respectfully request that the Court enter the attached proposed Order staying all deadlines in this action as they pertain to Huawei pending the finalization of the parties' settlement agreement.

Respectfully submitted this the 21th day of November, 2012.

/s/Thomas A. Lewry

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CERTIFICATE OF COMPLIANCE

In compliance with Local Rule CV-7(h), I hereby certify that counsel for Huawei Technologies USA, Inc. conferred with counsel for Plaintiff and this motion is agreed.

/s/Noah C. Graubart
Noah C. Graubart

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) this 21st day of November, 2012.

/s/Noah C. Graubart
Noah C. Graubart